



SALEM FARMERS MARKET RULES

The Salem Farmer's Market is owned and operated by the City of Salem as a service to area farmers and residents. The city-funding helps us to keep our rental rates low and the stalls are open to area farmers, home gardeners, greenhouse growers, and food vendors.

The Market can serve you in many ways! Your rent pays for much more than just a space to sell here at the Market! We try to take care of the daily market maintenance and operations so that you can concentrate on your product and your customer. We are also able to maintain low overhead costs and keep rental rates low to help small businesses grow. While we are unable to focus on any particular vendor, we do handle the promotion of the Market and are always looking for new and exciting ways to attract area residents and tourists.

The Salem Farmer's market is under the direction of the City Market Director. A market supervisor is available to answer questions and help vendors during the morning and afternoon hours. Special events are handled through the market and the City's Special Events Coordinator.

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I. TYPES OF VENDORS

Vendor- Anyone who is permitted to sell at the Salem Farmer's Market.

Because of our desire to promote our local farmers and bring locally grown products to the market, only farmers and their produce from adjacent counties (interior cities and towns included) will be permitted to sell on the market. These include: Roanoke County, Franklin County, Botetourt County, Bedford County,

Craig County, Montgomery County, and Floyd.

*Full Season Vendor - A vendor who has signed a contract with the City of Salem to sell for the entire market season from April 1 to Dec. 31.

*Long Season Vendor - A vendor who has signed a contract with the City of Salem to sell for any six consecutive months during the market season.

*Short Season Vendor - A vendor who has signed a contract with the City of Salem to sell for any three consecutive months during the market season.

*Monthly Vendor - A vendor who rents a space on a month to month basis depending upon availability.

*Daily Vendor - A vendor who rents a space on a daily basis depending upon availability.

*Farmer - A vendor who primarily sells produce/plants raised by him/her.

*Food Vendor - A vendor who sells home-baked or home-canned goods.

*Primary Renter - A vendor who has the first option to occupy a stall for which he or she has paid.

- Secondary Renter - A vendor who has made an arrangement with the Primary renter and the Market Director to occupy a space during the Primary renter's absence. The Primary and secondary vendors both pay the same fees, and scheduling stall space is worked out between the two vendors. The primary vendor retains the first option for the space. The City is not responsible for working out the schedule or making sure of its adherence.

II. TYPES OF MERCHANDISE

The following merchandise may be sold at the Salem Farmers Market:

- Food Items - Products sold for consumption. Locally grown produce, fruits and vegetables, baked goods, honey, jams, jellies, eggs, and highly acidic canned goods (with an inspection report from the Dept. of Agriculture). Also, imported fruits such as oranges, tangerines, and grapefruits are allowed from October 1 through December 31.
- Non-food Items - Products not sold for consumption. Examples:

New handmade items made by the vendor from homegrown products such as herb wreaths, grapevine wreaths, fresh or dried flower arrangements, fresh greenery for wreaths and roping, live plants, balled and burlapped or containerized Christmas trees, and handmade Christmas decorations made from locally grown or collected materials (prior approval required from the Market Director).

NOTE:

Craft sales are only allowed if the items are handmade from homegrown materials or collected materials. For example: Grapevine wreaths and herb wreaths. Permission to sell must be approved by the Market Director or the Market Supervisor prior to set-up. The main function of the Farmers Market is to sell homegrown produce and that will take priority over crafts.

The Salem Market Supervisor will have the authority to approve or disapprove any items to be sold on the Market.

III. HOURS OF OPERATION

1.The Market operates Monday through Saturday from 6 a.m. until dark. The Market is open 9 months a year from April 1 through December 31. Evening hours may vary by necessity to allow setup for certain special events. Any changes in schedule will be posted in a prominent location at the Market and will be advertised in the media as appropriate.

2.The Market Director can usually be reached from 7:30 a.m. until 3:30 p.m. Monday through Friday at 375-3028.

3.The Market Supervisor can be reached at (540) 375-4098 from: 7 a.m. till 11 a.m. . Monday thru Saturday.

IV. FEES

Daily fee \$5.00 per day.
Vendors must pay prior to setting up in their designated stall space.

Monthly fee \$45.00 per month - due on the first of the month.

Short Season\$40.00 per month for any three consecutive months. To be made in one (1) \$120.00 payment due on the first of the first month.

Long Season\$35.00 per month for any six consecutive months. Two payments allowed - \$105.00 due on the first of the first month and remaining \$105.00 due on the first of the fourth month.

Full Season\$30.00 per month for the full season from April 1 December 31. Two payments allowed--\$135.00 due by April 1 and the remaining \$135.00 due by September 1.

Stall 9 Half price. No parking available. See Market Supervisor.

The Salem Farmer's Market is not responsible for lost or late payments sent through the mail or through a third party. We encourage you to hand deliver your rent and get a dated receipt.

V. LEASE AGREEMENTS AND ASSIGNMENT OF SPACE

1. All vendors must contact the Market Director or Market Supervisor before occupying a space at the Market. Only those vendors with assigned daily, monthly or seasonal spaces will be allowed to sell on the Market.
2. No Vendors will be allowed to sell except from the constructed stalls, unless determined necessary due to market overflow by the market supervisor. These daily renters will still be charged a daily fee and may bring umbrellas and a table to set up.
3. The Salem Market Supervisor will have the authority to approve or disapprove any items to be sold on the Market.
4. Two businesses may not sell from a booth at the same time. Only one business is allowed to sell from a stall in the same day.
5. If a vendor has not occupied his or her assigned stall by 9 a.m. each day, the stall will be rented to another vendor for the day. If the assignee reports to the Market Supervisor that his/her stall will be empty the following day, the Supervisor can rent the stall in advance of 9 am to the first renter requesting the space. Spaces will be held open for vendors who call in and let us know that they will be late due to unforeseen circumstances.
6. Salem Market Vendors are not allowed to buy and resell items from non-market vendors on the Market property at any time.
7. Extenuating circumstances, safety and sanitation requirements, or approved special events may require and authorize the Market Director to relocate Market vendors.
8. The City reserves the right to deny or revoke any stall lease, when it is considered to be in the best interest of the Market operation. The City shall give thirty (30) days written notice prior to such cancellation or change.
9. Failure to meet the terms of the rental agreement, to comply with approved Market procedures, or the make payment of fees on time will be considered as just cause to immediately cancel any lease without prior notification.
10. All vendors (lessees) shall be held responsible for the actions of their employees, agents or persons working in concert with the vendor.
11. A daily stall opening will be rented on a "first-come, first-serve" basis. Any monthly or seasonal openings will be offered to current vendors according to their use of the market the previous year. In certain situations, the space will be offered to an existing secondary renter depending upon the time that they have been a secondary renter and how long they have sold on the market.

VI. LICENSES, TAXES, AND PERMITS

1. Any person using the Salem Farmer's Market for the purposes of selling or offering for sale any items on the premises must comply with all federal, state,

and local ordinances.

- 2.The collection and filing of all related taxes will be the responsibility of the individual vendor.
- 3.Regular vendors must have secured a Growers Permit from the Virginia Cooperative Extension service and have it notarized by a Notary Public before they will be given a Vendors Permit by the Market Supervisor.
- 4.Homeowners not selling for more than 3 days during the season must still have a growers permit. Also, they must obtain a temporary sales tax I.D. number from the Virginia Dept. of Taxation before they are issued a vendors permit.
- 5.No vendors will be allowed to sell on the Market without a vendors permit. That permit must be obtained from the Market Director or Market Supervisor.
- 6.If vendors are selling resale produce (imported fruit during winter season or the 25% supplemental amount allowed per farmer on total merchandise), an Itinerant Merchants license must be secured from the Commissioner of the Revenue's office.
- 7.If vendors are selling prepared foods, a Prepared Food and Beverage tax application must be secured from the office of the Director of Finance.
- 8.All weighing scales must have a current valid certification sticker signed by the Inspector from the Virginia Department of Weights and Measures.

FOR YOUR INFORMATION: Vendors who sell on a regular basis need to contact the Commissioner of Revenues Office at (540)375-3019, the Virginia Department of Taxation at (804)440-2541, and the Salem Finance Department (540)375-3061 for information that will be pertinent to them.

Remember, you the merchant are responsible to make sure that you are operating legally. Take the time to get the information that you need from the appropriate tax offices.

VII. PARKING AND TRAFFIC

1. No vendor will be allowed overnight parking in the Market area in preparation for the next day's sales.
2. Stall 9 has parking and fee restrictions. See Market Supervisor.
3. Vendors may back their vehicles into their assigned stall space, any second vehicles must be parked in the regular parking spaces at the back of the lot. This will free up parking for our customers.
4. Drivers of vehicles must, at all times, comply with all traffic signs, either marked on the pavement, erected on standards, or placed on buildings. They must also comply with the directions and orders of the Market Director or his/her authorized representative or any Law Officer.
5. Any person found in violation of the above traffic regulations and provisions

shall be subject to citation or vehicle towing.

VIII. HEALTH, SANITATION, AND SAFETY

1. The Market will provide, designate the location of and empty all public litter containers for use by vendors and customers.
2. The vendors will be responsible for the collection and removal of all refuse generated from sales at their stall.
3. Vendors will be held responsible to see that their stall is left reasonably clean and orderly at the end of each selling day. Failure to clean up the assigned area will result in a \$5.00 fine.
4. Use of chewing tobacco, alcohol, and snuff products will not be allowed on the Farmer's Market.
5. The Market Supervisor shall have the authority to order from the Market any person gambling, under the influence of intoxicants, exhibiting disorderly conduct, or otherwise violating Market regulations. Persons refusing to leave the premises after being requested to do so by the Market Director or his/her representative will be considered to be trespassing and will be dealt with accordingly.
6. No vendor shall permit seepage or leakage of water or fluids from any part of their stall into the aisles or into other stalls.
7. The Salem Farmer's Market/City of Salem will not be responsible for damage or loss of any personal belongs left unattended.
8. Small children brought to the Market by vendors must be kept within the vendors' leased area or under the supervision of a designated adult.
9. Lessee and his/her representatives agree to protect and hold the Lessor harmless and to indemnify the Lessor, its officers, and employees from any and all claims demands, suits, actions, judgments, and recoveries for or on account of damage, theft, or injury (including death) to property or person occurring as a result of lessee's use of the leased property, including loss or injury resulting in the Lessee as the result of electrical or equipment failure, or any other cause whatsoever.

IX. STRUCTURAL

1. Vendors must provide their own equipment and any additional set-up materials for display of items. Vendors may not use nails or other set-up materials which may permanently damage stall space.
2. No signs or advertisements are to be attached to the buildings or tables by staples, screws, nails, etc. Any sign that a vendor wishes to use in his own selling area must first be approved by the Market Supervisor.
3. No signs shall be used for commercial promotional activities of an advertising

nature designed to attract public attention or support for a product, commodity or service which is not available for sale at such stall or the promotion for any business, political, controversial, or commercial entity.

- 4.Regulation business signs will be issued to monthly or seasonal vendors upon request.
- 5.Tables are not to be removed from the stall area.
- 6.Any needed repairs, hazardous conditions, or problems in the Market area should be reported to the Market Supervisor.

X. GENERAL

1. Proper dress will be required by all vendors and approved by the Market Supervisor. Proper language for a family atmosphere is also expected.
2. No person shall make a public outcry, do "hawking", or give any musical or other entertainment for the purpose of drawing customers or attracting attention without prior permission from the Market Director.
3. Vendors who violate any Salem Market regulations will be first given an oral warning by the Market Director or his/her designee. The second time the violation occurs, the vendor will be given a written warning from the Market Director. The third time this violation occurs, the vendor will lose their lease with no refunds.

XI. EDIBLE PRODUCTS

BAKED GOODS- Cakes, brownies, fruit pies, breads, etc. are acceptable. No cream filled pastries, custards or items filled with dairy products (cream puffs, etc. filled with non-dairy filling are acceptable). All Baked Goods must be labeled with: name of product, net weight (or count), ingredients in order of predominance, manufacturer's name and address.

CANNED GOODS- Home canned foods (low acid) products such as vegetables, meats, etc. may not be sold. Home canned (highly acidified) vegetable products such as pickled cucumbers, pickled beets, chow-chow, etc. can be sold if the vendor has an inspection report from the Dept. of Agriculture (Bureau of Food Inspection 857-7344). Jellies and jams are acceptable as long as they are labeled properly. All Canned Goods must be labeled with: name of product, net weight (or count), ingredients in order of predominance, manufacturers name, and address.

Other food items must be approved by the Market Director.

XII. SPECIAL EVENTS

The Salem Market has several special events during the market season. The

primary goals of each event are the overall promotion of the Market and downtown area and to get folks into the habit of visiting the Market on weekends.

Some of the events such as the "Salem After 5" concerts that are held on the Market are not sponsored by the Salem Market. Because of setup time required or safety considerations, these events may require closing of the market at 2 pm, or in closing off of the Market's parking area to the public during regular vendor hours. Anytime either of these is required, changes in schedule will be posted in a prominent location for vendors at the Market and customers will be notified through the media as appropriate.